

DRA: HBC
rec'd 6/28/00 lat
24507

AGREEMENT

Advisory Neighborhood Commission 2E ("the ANC") and Mel Ben, Inc. t/a Paper Moon ("applicant") agree as follows.

1. The applicant has applied for [for renewal of] a Class "CR" alcoholic beverage license for the property located at 1069-73 31 St NW, Washington, D.C. (the establishment") (ABC Application 8004) which is pending before the District of Columbia Alcoholic Beverage Control Board (ABC Board).

2. The ANC represents the residents and taxpayers within the boundaries of ANC2E and wishes to insure that no establishment that sells alcoholic beverages will adversely affect the health, safety, and quality of life in the surrounding community because of noise, parking, increased traffic, garbage, liner, rats, and sales of alcohol minors.

3. Therefore, the ANC agrees that it will not oppose the granting of the ABC license renewal before the ABC Board in return for the following promises by the applicant.

4. The applicant shall operate the establishment at all times in compliance with all applicable laws of the District of Columbia and the United States of America.

5. The establishment shall have a maximum capacity, as established by its Certificate of Occupancy, of 450 persons.

6. The establishment shall be open from 11:00 am to 2:00 am on Sundays through Thursdays and from 11:00 am to 3:00 am Fridays and Saturdays. These hours may not be extended without prior written agreement of the ANC.

7. The applicant will strictly enforce the underage drinking laws of the District of Columbia by requiring valid official identification showing age, confiscating false or forged identification cards, and cooperating with ABC inspectors and the police department in enforcing the law. To meet this requirement, the applicant shall have a fully licensed manager on duty at all times the establishment is open and shall train its employees serving alcoholic beverages in the "TIPS" or similar alcohol awareness program.

8. The applicant shall neither offer nor publicize any student discounts for alcohol, "pub crawls," "ladies' nights," "men's nights," all-you-can drink for one price, or similar special promotions that encourage the consumption of alcohol.

9. The applicant shall not distribute or place fliers, placards, cards and other promotional materials in the public space, or on any college or university campus, including student housing and dormitories nor place promotional fliers, placards, cards, banners or other promotional materials on or in its windows, doors, or building that are visible from the public

space, except for copies of its menus and seasonal (Thanksgiving, Christmas, Hanukkah) decorations that may be left in place for no more than 30 days.

10. No exterior sign, awning, or interior sign visible from the street shall be installed without the required permit and the prior approval of the Commission of Fine Arts and D.C. Department of Consumer Regulatory Affairs.

11. Recorded music may be played only at volume levels that cannot be heard from the street outside the establishment.

12. The applicant shall never permit trash, garbage, or litter to be placed outside the premises in unprotected bags, or uncovered cans, or containers and shall insure that all legal containers are emptied by a professional garbage truck service every day except on Sundays.

13. The applicant shall not use public space without first obtaining the required permit from the Public Space Committee of the D.C. Department of Public Works and, if such permit is issued, shall use public space only in strict conformance with the permit.

14. This written agreement constitutes the only agreement between the parties and replaces any prior agreements between the parties and may be modified only by the written agreement of both parties.

Executed this 26 day of June 2000.

By: Mel Ben, Inc.

By:

Mustapha Meliani, President

ADVISORY NEIGHBORHOOD COMMISSION 2E

BY

Chairman

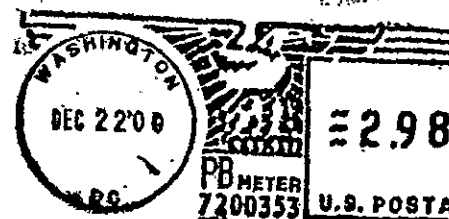
With a quorum present at a duly noticed public meeting, this Agreement was adopted by ANC 2E on April 4, 2000.

Secretary

GOVERNMENT OF THE DISTRICT OF COLUMBIA
DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS
BUSINESS REGULATION ADMINISTRATION
ALCOHOLIC BEVERAGE CONTROL DIVISION

P.O. BOX 37200
WASHINGTON, D.C. 20013-7200

OFFICIAL BUSINESS
PENALTY FOR MISUSE



Paper Moon
Mustapha Meliani
Gen. Mgr.
1703-31st St. N.W.
W.D.C. 20007

Fold at line over top of envelope
the right of the return address

CERTIFIED

Z 508 229 447

20007/5553



MAIL

**BEFORE
THE DISTRICT OF COLUMBIA
ALCOHOLIC BEVERAGE CONTROL BOARD**

In the Matter of :

**Melben, Inc.
t/a Paper Moon**

**Application for a Retailer's Class
CR License – renewal**

**1073 31st Street, Northwest
Washington, D.C.**

Case no. 24507-00071P

Peter Pulsifer, Chair, on behalf of the Advisory Neighborhood Commission 2E, Protestant

Mustapha Meliani, President, on behalf of Applicant

**BEFORE: Roderic L. Woodson, Esquire, Chair
Vera Abbott, Member
Charles Burger, Member
Judy Moy, Member
Ellen Oppen-Weiner, Esquire, Member
Audrey E. Thompson, Member**

ORDER ON WITHDRAWN PROTEST AND VOLUNTARY AGREEMENT

This matter, having been protested, came before the Board for public hearing on May 24, 2000, in accordance with D.C. Code Section 25-115(c)(5)(1999 Supp.), providing for the protestants to be heard. Peter Pulsifer, chair, on behalf of the Advisory Neighborhood Commission 2E, filed a timely protest letter dated May 9, 2000.

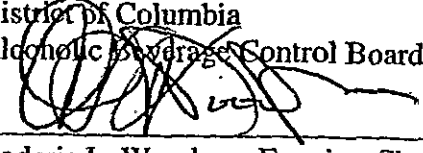
The official records of the Board reflect that the parties have now reached an agreement that has been reduced to writing, and has been properly executed and filed with the Board. Pursuant to the agreement dated June 26, 2000, the protestant has agreed to withdraw the opposition, provided however, the Board's approval of the pending application is conditioned upon the licensee's continuing compliance with the terms of the Agreement.

Melben, Inc.
t/a Paper Moon
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Accordingly, it is this 2nd day of August 2000, ORDERED that:

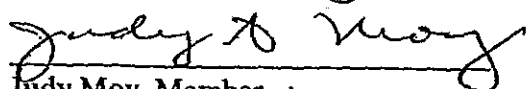
1. The opposition of Peter Pulsifer, Chair, on behalf of the Advisory Neighborhood Commission 2E, be, and the same hereby, is **WITHDRAWN**;
2. The application of Melben, Inc. t/a Paper Moon for a retailer's class CR license (renewal), located at 1073 31st Street, Northwest, Washington, D.C., be, and the same hereby, is **GRANTED**;
3. The above-referenced agreement between the parties, be, and the same hereby, is **INCORPORATED** as part of this **ORDER**, and:
4. Copies of this Order shall be sent to the Protestant and the Applicant.

District of Columbia
Alcoholic Beverage Control Board



Roderic L. Woodson, Esquire, Chair


Vera Abbott, Member


Charles Burger, Member


Judy Moy, Member


Ellen Oppenheimer, Esquire, Member


Audrey E. Thompson, Member